

Remarks

Claims 1-54 are pending in the application. Claims 7-12, 23-26, and 36-38 are withdrawn from consideration. Claims 1-6, 13-22, 27-35, and 39-53 are rejected. Claim 54 is objected to.

Section 102 Rejections

Claims 1, 5-6, 16, 17, 21-22, 29, 39-41, 43-44, 46, 47, 50, 51, and 52 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,563,769 to Van Der Meulen ("Van Der Meulen").

Claim 1 is amended herein to include the limitations of "a plurality of media readers disposed adjacent one another within the housing; a central processing unit in electrical communication with the plurality of media readers and disposed within the housing; a main memory in electrical communication with the central processing unit and disposed within the housing; a non-volatile storage medium in electrical communication with the central processing unit and disposed within the housing." Support is found for these limitations in Figures 5, 7, and 8 and the accompanying text. Thus, the claimed invention provides a self-contained transfer apparatus to enable media transfer and storage.

The specification states that:

When a user purchases a CD/DVD storage and playback system 105 (or any other type of system capable of storing multimedia content), the user will subsequently need to copy his/her CD/DVD collection to the playback system's storage device 130. If the user has a standard CD/DVD drive, copying each CD/DVD may be quite time consuming, particularly if he/she has a large CD/DVD collection.

Page 12, lines 1-8. The claimed transfer apparatus addresses the inefficiency of copying from standard CD/DVD drives. The transfer apparatus includes multiple media drives, a CPU, a memory, a non-volatile storage, an encoder, and an interface all integrated and disposed locally in a single unit. Accordingly, the claimed transfer apparatus is able to function as a stand-alone computer.

Van Der Meulen discloses conventional playback devices that communicate over a network. "The content source may be, for example, a conventional playback device 130, such as a CD and DVD player, a cassette tape player, record player, VCR player, laser-disc player, and so on." Column 5, lines 10-13. Van Der Meulen does not disclose a transfer apparatus that resolves the tediousness of copying a media content library. Van Der Meulen uses conventional players, and these players may be disposed at various remote locations. If a user wanted to use multiple players, then the user would need to manually access each CD/DVD player. This may be highly inefficient given the locations of each player accessing a network. In Van Der Meulen, a user encounters the problems that the pending application avoids.

In Van Der Meulen, the processing, encoding, and memory functions are performed by different devices over the network. This requires multiple discrete devices which are distributed over a network. Having the processing and encoding functions performed over a network requires network support and introduces potential network errors and complications. Thus, Van Der Meulen does not disclose a transfer apparatus with multiple readers, a central processing unit, an encoder, a

memory, a non-volatile storage, and an interface that are all housed together as a single unit.

In order to be an anticipating reference, "[E]very element of the claimed invention must be identically shown in a single reference." In re Bond, 910 F.2d 831, 15 USPQ 2d 1566 (Fed. Cir. 1990). As amended, claim 1 includes limitations not shown in Van Der Meulen, and reconsideration is respectfully requested.

Independent claim 39 is amended herein to include limitations similar to that of claim 1 and likewise represents patentable subject matter.

Independent claim 29 is amended herein to include the limitation of "disposing a plurality of media readers in proximity to one another within a device." Van Der Meulen does not teach or suggest media readers disposed in proximity to one another within a device, rather, the conventional players are disposed over a network.

Furthermore, claim 29 recites a "second media reader reading second multimedia data from a second CD/DVD in parallel with reading multimedia data from the first CD/DVD." Two media readers disposed in a single device that read in parallel are not disclosed in Van Der Meulen.

Claim 29 further recites "an encoder disposed within the device encoding said first multimedia data to produce first encoded data in parallel with encoding said second multimedia data to produce second encoded data." Encoding two different sets of multimedia data in parallel by a single device is not disclosed in Van Der Meulen.

Claim 29 further recites a “third media reader reading third multimedia data from a third CD/DVD in parallel with encoding said first multimedia data and encoding said second multimedia data.” Van Der Meulen does not disclose a device with a media reader that reads in parallel with an encoder encoding.

The claimed transfer apparatus operates with the benefit of multiple media readers that are readily accessible by a user in a single computer device. Furthermore, the media readers read in parallel with one another and also in parallel with encoding operations. This increases the efficiency and convenience of media transfer for the user, and these claimed limitations are not taught in Van Der Meulen.

Section 103 Rejections

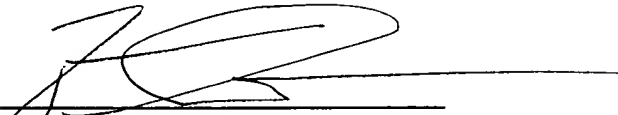
Claims 2, 3, 4, 13-14, 15-16, 18-20, 27-28, 33-35, 42, and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Der Meulen and in combination with Official Notice. As independent claims 1, 29, and 39 have been distinguished from Van Der Meulen above, the depending claims likewise represent patentable subject matter.

Based on the foregoing, the Applicants respectfully submit that claims 1-6, 13-22, 27-35, and 39-53 are in condition for allowance. Reconsideration and early allowance of all pending claims herein is respectfully requested.

Respectfully submitted,

Digeo, Inc.

By

A handwritten signature in black ink, appearing to read 'Kory D. Christensen', written over a horizontal line.

Kory D. Christensen
Registration No. 43,548

STOEL RIVES LLP
One Utah Center Suite 1100
201 S Main Street
Salt Lake City, UT 84111-4904
Telephone: (801) 328-3131
Facsimile: (801) 578-6999